

DOCKET NO.: ALZA-0377/ALZ5016USNP
Application No.: 10/814,705
Office Action Dated: June 12, 2007

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

Amendments to the Drawings

Please delete Figure 5 from the application.

REMARKS

Following entry of the foregoing amendments, claims 17 to 21 will be pending in the application. Claims 1 to 16 have been canceled herein, without prejudice. New claims 17 to 21 have been added. Support for claims 17 to 19 is found throughout the specification as originally filed, including, for example, paragraph 25. Support for claim 20 is found, for example, in original claim 3, and support for claim 21 is found, for example, in original claim 5. New claims 17 to 21 thus do not introduce new matter into the application.

Figure 5 has been deleted and the specification has been amended to reflect the deletion of Figure 5.

Applicant respectfully requests reconsideration of the rejections of record in view of the foregoing amendments and the following remarks.

Objections to the Specification

The specification has been objected to under 35 U.S.C. § 132(a) because the introduction of Figure 5 allegedly added new matter to the application. Without conceding the correctness of the objection, and to advance prosecution, Figure 5 has been deleted, obviating the objection. Applicant accordingly, respectfully requests withdrawal thereof.

Alleged Anticipation and Obviousness

A. Claims 1 to 6 have been rejected under 35 U.S.C. § 102(b) as allegedly anticipated U.S. patent number 5,857,994 (“the Flower patent”). Without conceding the correctness of the rejection, and to advance prosecution, claims 1 to 6 have been canceled, obviating the rejection.

The Flower patent fails to teach or suggest all the limitations of new claims 17 to 21 and hence fails to anticipate or render obvious the subject matter of those claims. For example, the Flower patent fails to teach or suggest electrotransport devices that comprise a non-conductive reservoir housing comprising a substantially flexible electrically conductive element integrally molded within the non-conductive housing, *wherein a substantially liquid and moisture-impermeable bond is created between the material forming the reservoir housing and the conductive element*. The Flower patent thus fails to impact the novelty or

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non-obviousness of the subject matter of claims 17 to 21, and Applicant accordingly, respectfully requests withdrawal of the rejection.

B. Claims 1 to 11, 15, and 16 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. patent number 5,857,994 (“the Kuribayshi patent”) and claims 12 to 14 have been rejected under 35 U.S.C. § 103(a) as allegedly obvious over the Kuribayshi patent. Without conceding the correctness of the rejections, and to advance prosecution, claims 1 to 16 have been canceled, obviating the rejections.

The Kuribayshi patent fails to teach or suggest all the limitations of new claims 17 to 21 and hence fails to anticipate or render obvious the subject matter of those claims. For example, the Kuribayshi patent fails to teach or suggest electrotransport devices that comprise a non-conductive reservoir housing comprising a substantially flexible electrically conductive element integrally molded within the non-conductive housing, *wherein a substantially liquid and moisture-impermeable bond is created between the material forming the reservoir housing and the conductive element*. The Kuribayshi patent thus fails to impact the novelty or non-obviousness of the subject matter of claims 17 to 21, and Applicant accordingly, respectfully requests withdrawal of the rejection.

Conclusion

Applicant believes that the foregoing constitutes a complete and full response to the official action of record. Accordingly, an early and favorable action is respectfully requested.

Respectfully submitted,

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